

LETTER FROM OVER 40 TECHNOLOGY & CIVIC LEADERS TO THE FCC

June 4, 2007

Federal Communications Commission:

We are writing in support of a simple but powerful principle: Public airwaves should be used for the public good.

The FCC will soon decide how to allocate a huge portion of the public airwaves – the “700 megahertz spectrum.” These newly available airwaves are a once-in-a-lifetime opportunity to revolutionize Internet access in our country. Used correctly, these airwaves could beam high-speed Internet signals to every park bench, coffee shop, workplace, and home in America at more affordable rates than current Internet service. This would bridge the digital divide – bringing Internet access to many poor and rural families.

But big phone and cable companies don't want this new competition to their Internet services – they want to cement their market dominance in place. If the FCC simply gives the highest bidder exclusive rights over the new airwaves, phone and cable companies could become permanent gatekeepers of the airwaves – continuing their record of keeping new competition and innovation out of the marketplace. Consumers would be hurt, technological progress would be slowed, and the economic benefits of bringing high-speed Internet to every American family would be lost.

The public airwaves are ours, and they need to be used for the public good. To that end, the signatories of this letter are asking the FCC to do two things as they decide the rules for the upcoming spectrum auction:

First, ensure new competition. Big phone and cable companies who have spent years laying wires in the ground have every incentive to stifle the growth of a competitive high-speed wireless market. Therefore, if America wants to bring high-speed wireless Internet to every community, the FCC needs to ensure that a significant portion of the newly available airwaves go to new market competitors. Such rules prohibiting incumbents from stifling competition and innovation in the marketplace have been [used in the past](#), and numerous approaches can be used to achieve this goal.

Second, ensure “open networks.” The FCC must set the terms of the auction so that whoever wins is prohibited from stifling innovation. For instance, wireless Internet providers must not be allowed to play gatekeeper over which websites their customers can access online – a power that phone companies exert right now to prevent handheld wireless customers from accessing [Internet-based phone service](#). Wireless Net Neutrality will let the market decide which web-based services thrive instead of self-interested gatekeepers.

Also part of “open networks,” the auction winners must not be allowed to blacklist new technology from entering the market. Companies must give consumers the right to attach any safe device to their own devices – the equivalent of the FCC’s landmark 1968 [Carterfone](#) decision, mandating that phone companies let customers attach an answering machine to their landline phone. (Indeed, this “right to attach” paved the way for the dial-up modem, which sparked the Internet revolution.)

To facilitate “open networks” – and to maximize competition among providers – at least half of the auctioned airwaves should be licensed on an “open access” basis. This means the auction winner would be less of a gatekeeper than an administrator – with any new competitor allowed to access to the airwaves for a fair market rate. By ushering competition into the marketplace, consumer-friendly practices like Net Neutrality and *Carterfone* principles would be promoted and reinforced by market forces – customers would be able to leave companies that didn't abide by them for companies that did.

In the end, the FCC has a choice: Use the public airwaves for the public good, or turn them over to companies that will stifle competition and innovation. We, the undersigned, urge you to allow wireless Internet to achieve its full potential – opening the door to affordable high-speed Internet for all, and bridging the digital divide..

Sincerely,

Lawrence Lessig – Professor, Stanford Law School & Founder, Center for Internet and Society

Craig Newmark – Founder, Craigslist

Jason Devitt – CEO, Skydeck

Amol Sarva – CEO, Txtbl & co-founder, Virgin Mobile

Michael Kieschnick – President, Working Assets Wireless

Andrew "Bunnie" Huang – Cofounder, Chumby Industries

Ram Fish – CEO & Founder, FONAV

Brad Burnham – Union Square Ventures

Micah Sifry – Editor, Personal Democracy Forum & co-founder, Tech President

Andrew Rasiej – Founder, Personal Democracy Forum & co-founder, Tech President

Cory Doctorow – Annenberg Center for Public Diplomacy, University of Southern California

Gigi Sohn – President and Co-Founder, Public Knowledge

Susan Crawford – Associate Professor, Cardozo Law School

David Weinberger – Fellow, Harvard's Berkman Center for Internet & Society

Harold Feld – Senior Vice President, Media Access Project

Josh Silver – Executive Director, Free Press

Wes Boyd – Software entrepreneur and MoveOn cofounder

Andy Stern – International President, Service Employees International Union (SEIU)

Jeannie Moorman – President, AFSCME Local 1117 (CA)

James Rucker – Executive Director, ColorOfChange.org

Rev. Robert Farlee – Senior editor, Augsburg Fortress (official publishing arm of the Evangelical Lutheran Church)

Linda Jue – Executive Director, New Voices in Independent Journalism

David Alpert – President, Information Policy Action Committee (IPac)

Elizabeth Greenbaum – Executive Director, ArtiCulture

Patrick Murfin – President of the Interfaith Council for Social Justice (McHenry County, Ill.)

Drew McWeeny – Screenwriter/west coast editor, Ain't It Cool News

Dan Manatt – Founder of PoliticsTV.com

Michael Silberman – Director, EchoDitto

Jay Harris – President & Publisher, Mother Jones

Joel Bleifuss – Editor, In These Times

John F Neville – President, Sustainable Arizona

Mike Lerley – Maine small business owner and IT provider (Rent-A-Geek)

Rebecca Tippens – President, Center for Cultural Evolution (MA)

Jaclyn Sargent – Students Advocating Change (Worcester, MA)
Nancy Scola – MyDD.com, former tech policy advisor to Gov. Mark Warner
John Amato – Founder of CrooksandLiars.com blog
Jane Hamsher – Founder of FireDogLake.com blog
Garlin Gilchrist II – Blogger, TheSuperSpade.com
Lowell Feld – Founder of RaisingKaine.com & former Netroots Coordinator, Webb for Senate (Virginia blog)
Juan Melli – Founder of BlueJersey.com (New Jersey blog)
Hugh Jackson – Founder of LasVegasGleaner.com (Nevada blog)
Myrna Minx – Founder of RenoDiscontent.com (Nevada blog)
Matt Singer – Founder of LeftInTheWest.com & former blogger for Tester for Senate (Montana blog)